

Docket No.
960160

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Method of Determining the Receptivity of Wireless Signals in a Broadcast System

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on _____ as United States Application No. or PCT International Application _____

and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

<u>P 44 01 460.0</u>	<u>Germany</u>	<u>19/1/1994</u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>N/A</u>	
(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<u>PCT/DE95/00055</u>	<u>16/1/1995</u>	<u>pending</u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

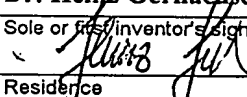
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

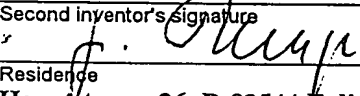
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

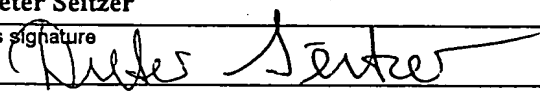
Karl Hormann, Esq., Registration No.: 26,470

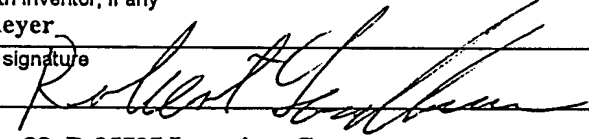
Send Correspondence to: **Karl Hormann, Esq.**
86 Sparks Street
Cambridge, MA 02138-2216

Direct Telephone Calls to: *(name and telephone number)*
Mr. Hormann @ (617)-491-8867

Full name of sole or first inventor Dr. Heinz Gerhaeuser	
Sole or first inventor's signature 	Date June 24, 1996
Residence Saugendorf 17, D-91344 Waischenfeld, Germany	
Citizenship German	
Post Office Address same as residence	

Full name of second inventor, if any Prof. Dr. Georg Plenge	
Second inventor's signature 	Date June 24, 1996
Residence Hauptstrasse 26, D-82544 Egling-Thanning, Germany	
Citizenship German	
Post Office Address same as residence	

Full name of third inventor, if any Prof. Dr. Dieter Seitzer	
Third inventor's signature 	Date June 24, 1996
Residence Humboldtstrasse 14, D-91054 Erlangen, Germany	
Citizenship German	
Post Office Address same as residence	

Full name of fourth inventor, if any Robert Sedlmeyer	
Fourth inventor's signature 	Date July 22, 1996
Residence Fasanenstrasse 38, D-85737 Ismaning, Germany	
Citizenship German	
Post Office Address same as residence	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27 (d)) - NONPROFIT ORGANIZATION			Docket No. 960160
Serial No.	Filing Date	Patent No.	Issue Date
Applicant/ Gerhaeuser et al. Patentee:			
Invention: Method of Determining the Receptivity of Wireless Signals in a Broadcast System			
<p>I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:</p> <p>NAME OF ORGANIZATION: <u>Fraunhofer-Gesellschaft zur Foerderung der angewandten Forschung e.V.</u></p> <p>ADDRESS OF ORGANIZATION: <u>Leonrodstrasse 54</u> <u>D-80636 Munich</u> <u>Germany</u></p> <p>TYPE OF NONPROFIT ORGANIZATION:</p> <p><input type="checkbox"/> University or other Institute of Higher Education</p> <p><input type="checkbox"/> Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3))</p> <p><input type="checkbox"/> Nonprofit Scientific or Educational under Statute of State of The United States of America Name of State: _____ Citation of Statute: _____</p> <p><input checked="" type="checkbox"/> Would Qualify as Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3)) if Located in The United States of America</p> <p><input type="checkbox"/> Would Qualify as Nonprofit Scientific or Educational under Statute of State of The United States of America if Located in The United States of America Name of State: _____ Citation of Statute: _____</p> <p>I hereby declare that the above-identified nonprofit organization qualifies as a nonprofit organization as defined in 37 C.F.R. 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:</p> <p><input checked="" type="checkbox"/> the specification to be filed herewith.</p> <p><input type="checkbox"/> the application identified above.</p> <p><input type="checkbox"/> the patent identified above.</p> <p>I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.</p> <p>If the rights held by the above-identified nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).</p>			

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern or organization exists.
☒ each such person, concern or organization is listed below.

FULL NAME	<u>Institut fuer Rundfunktechnik GmbH.</u>		
ADDRESS	<u>Floriansmaehlstrasse 60, D-80939 Munich, Germany</u>		
	<input type="checkbox"/> Individual	<input type="checkbox"/> Small Business Concern	<input checked="" type="checkbox"/> Nonprofit Organization
FULL NAME	<u>N/A</u>		
ADDRESS	<u></u>		
	<input type="checkbox"/> Individual	<input type="checkbox"/> Small Business Concern	<input type="checkbox"/> Nonprofit Organization
FULL NAME	<u></u>		
ADDRESS	<u></u>		
	<input type="checkbox"/> Individual	<input type="checkbox"/> Small Business Concern	<input type="checkbox"/> Nonprofit Organization
FULL NAME	<u></u>		
ADDRESS	<u></u>		
	<input type="checkbox"/> Individual	<input type="checkbox"/> Small Business Concern	<input type="checkbox"/> Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: —> Dr. Helmut Schubert
 TITLE IN ORGANIZATION: Head of Patent Department
 ADDRESS OF PERSON SIGNING: Zeppelinstraße 81, 81669 München

SIGNATURE: x  DATE: June 21, 1996

PATENTS ONLY

Tab settings → → → ▼ ▼ ▼ ▼ ▼ ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Dr. Heinz Gerhaeuser;
Prof. Dr. Georg Plenge;
Prof. Dr. Dieter Seitzer; and
Robert Sedlmeyer

Additional names(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: **June 24, 1996**

2. Name and address of receiving party(ies):

Name: **Fraunhofer-Gesellschaft zur Foerderung dery**

Address: **angewandten Forschung e. V.**

Leonrodstrasse 54

City: **D-80636 Munich** State/Prov.: _____

Country: **Germany** ZIP: _____

Additional name(s) & address(es) attached? ☒ Yes ☐ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: **June 24, 1996**

Patent Application No. **08/676,355** Filing date **July 19, 1996**

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Karl Hormann, Esq.**

Registration No. **26,470**

Address: **86 Sparks Street**

City: **Cambridge,** State/Prov.: **MA**

Country: **USA** ZIP: **02138-2216**

6. Total number of applications and patents involved: **1**

7. Total fee (37 CFR 3.41):.....\$ **40.00**

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Karl Hormann

Name of Person Signing

Signature

July 30, 1996

Date

Total number of pages including cover sheet, attachments, and document: **4**

ASSIGNMENT

IN CONSIDERATION of the sum of one dollar (\$1.00) to us in hand paid, receipt of which is hereby acknowledged, and for other good and valuable consideration,

We, Dr. Heinz Gerhäuser;
Prof. Dr. Georg Plenge;
Prof. Dr. Dieter Seitzer; and
Robert Sedlmeyer

being the inventors of a certain invention for an

Method of Determining the Receptivity of Wireless Signals in a Broadcast System

as fully set forth and described in the application executed by us on this 24 day of June 9, 1996, preparatory to obtaining Letters Patent of the United States of America therefor, being the owners of all right, title and interest in and to the application and in and to the invention described therein, free from all prior assignments, agreements, licenses, mortgages, or other encumbrances whatsoever, and having full right to convey the entire interest, both legal and equitable, herein assigned, do hereby sell, transfer, and set over unto

**Fraunhofer-Gesellschaft zur Förderung
der angewandten Forschung e.V.
Leonrodstraße 54
80636 Munich
Germany**

and

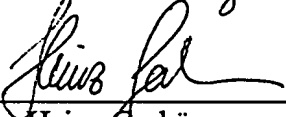
**Institut für Rundfunktechnik GmbH.
Floriansmühlstraße 60
80939 Munich
Germany**

in equal undivided shares our entire right, title and interest in and to the said application and in and to the said invention, in and for all countries.

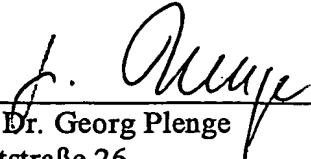
AND WE HEREBY COVENANT AND AGREE that we will, at any time upon request, without further cost to us and without further compensation, execute and deliver any and all papers or instruments that may be necessary or desirable to secure to our assignees the full

enjoyment of the right and properties herein conveyed and intended to be conveyed.

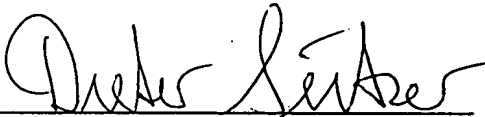
IN WITNESS WHEREOF we have hereunto set our hand and affixed our seals
this 24 day of June, 1996.




Dr. Heinz Gerhäuser
Saugendorf 17
91344 Waischenfeld
Germany



Prof. Dr. Georg Plenge
Hauptstraße 26
82544 Egling-Thanning
Germany



Prof. Dr. Dieter Seitzer
Humboldtstraße 14
91054 Erlangen
Germany



Robert Sedlmeyer
Fasanenstraße 38
85737 Ismaning
Germany

--*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 08/676,355

Filed: July 19, 1996

Appendix to Assignment Recordation Cover Sheet

Additional Assignee:

Institut für Rundfunktechnik GmbH.
Floriansmühlstraße 60
D-80939 Munich
Germany
